

**BLAKELY
SOKOLOFF
TAYLOR &
ZAFMAN**

1279 Oakmead Parkway
Sunnyvale, California 94086
(408) 720-8598 Telephone
(408) 720-9397 Facsimile

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Attorney: James C. Scheller, Jr.
Reg. No.: 31,195
Phone No. (408) 720-8300
Operator: Connie Thayer
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U.S. PATENT & TRADEMARK OFFICE

Art Unit: 2112
Ser/Pat. No.: 09/305,815
Filing/Issue Date: 5/4/1999
Our Ref No.: 04860.P2297

Message:

Dear USPTO:

Attached please find Petition to Withdraw Holding of Abandonment (2 pgs) with Exhibits (18 pgs) for entry into the above-noted patent application file.

Applicant does not believe that any fees are due for this submission. However, please charge Deposit Account 02-2666 if any fees are required.

Formal Document
Please Enter into File Record

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Connie Thayer 1-14-05
Signature Date

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Atty. Docket No. 04860.P2297

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re. Application of:

Thomas C. Clark

Application No. 09/305,815

Filed May 4, 1999

For: USB DEVICE NOTIFICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner: Lefkowitz, Sumati

Art Unit: 2112

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:

Date of Transmission January 14, 2005Connie Thayer

(Typed or printed name of person transmitting paper)

Connie Thayer 1-14-05

(Signature of person transmitting paper)

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181**

Sir:

Applicant hereby petitions to withdraw the holding of abandonment under 37 C.F.R. § 1.181 as indicated on the Notice of Abandonment ("Notice") mailed from the Patent Office on October 21, 2004 for the above-identified patent application. The Notice states that the application was abandoned for a failure to timely file corrected drawings in response to the Notice of Allowability. Applicant respectfully submits that a full set of formal drawings was timely filed with the issue fee payment in response to the Notice of Allowability mailed June 15, 2004. The formal drawings and issue fee payment were deposited with the U.S. Postal Service as first class mail under 37 C.F.R. § 1.8 on September 10, 2004, which was five days before the due date specified on the Notice of Allowability. The formal drawings and issue fee payment were received by the U.S. Patent and Trademark Office on September 14, 2004 as indicated by the date-stamp on the returned postcard. Therefore, applicant respectfully requests reconsideration and withdrawal of the holding of abandonment of the above-identified patent application on the basis that there is in fact no abandonment.

The following documents accompany this Petition in support of Applicant's request:

- 1) a copy of the Notice of Allowability mailed June 15, 2004 (Exhibit A);
- 2) a copy of the issue fee payment and submission of formal drawings (Exhibit B) mailed on September 10, 2004 as indicated by the Certificate of Mailing stamps;
- 3) a copy of the returned postcard which was date-stamped on September 14, 2004 by the U.S. Patent and Trademark Office (Exhibit C), which confirms receipt of the response from Applicant mailed on September 10, 2004; and
- 4) a copy of the Notice of Abandonment dated October 21, 2004 (Exhibit D).

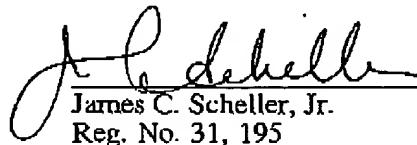
Applicant notes that no fees are required for this petition. However, in the event that any fees are due, please charge Deposit Account No. 02-2666.

Alternatively, if the petition under 37 C.F.R. §1.181 is not granted, Applicant hereby petitions under 37 C.F.R. §1.137(a) that the application be revived as the delay was unavoidable because Applicant in fact sent a response as shown above and, through no fault of Applicant, the response was apparently not considered to be filed by the Patent Office. There is simply no practical way for Applicant to have avoided this holding of abandonment in this instance where the postcard was stamped as received by the Patent Office. If this petition under 37 C.F.R. §1.137(a) is accepted, please charge Deposit Account No. 02-2666 for the fee necessary for this petition.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 1/14, 2005


James C. Scheller, Jr.
Reg. No. 31, 195

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(408)720-8300